

---

## OVERVIEW

Certain Michigan Department of Health and Human Services (MDHHS) employees and all placement agency foster care (PAFC) employees are required to report the suspected abuse or neglect of a child to the MDHHS Centralized Intake Unit; see [SRM 110, Obligation to Report Suspected Abuse and Neglect](#) and [APR 200, Mandated Reporter - Child](#).

Additional requirements apply when the alleged victim of abuse or neglect is a child in foster care or the alleged perpetrator is the parent, legal guardian, or caregiver of a child in foster care; see [FOM 722-13A, Maltreatment in Care - Foster Care Responsibilities](#).

## CIRCUMSTANCES REQUIRING A COMPLAINT

Foster care caseworkers and supervisors must immediately report suspected child abuse and/or neglect to Centralized Intake (CI). This includes, but is **not limited to**:

- Allegations of abuse or neglect of a child with an open foster care program type, including abuse or neglect which is alleged to have occurred prior to the child's removal.
- When a person convicted of or determined by the Family Court to have committed physical abuse, criminal neglect, or sexual abuse moves into a home where a child with an open foster care program type is residing.
- When a new child is born into or moves into the home of a parent who is currently a respondent in a child protective proceeding or previously had parental rights terminated in child protective proceedings; see New Child in a Parental Home in this item.
- Allegations of abuse or neglect by a foster parent or relative caregiver, regardless of whether the alleged victim is a child in foster care.

**Note:** Foster care must not change the child's placement solely due to a CPS or CPS-MIC investigation **unless** there is an immediate concern for the child's health or physical safety; see [FOM 722-03, Placement Selection and Standards](#):

**New Child in a  
Parental Home-**

Foster care caseworkers or supervisors who become aware of the birth of an infant or the movement of other children into the home of a parent who is a respondent in current child protective proceedings or previously had their parental rights terminated through child protective proceedings must immediately file a complaint of suspected abuse or neglect with CI. The complaint must include information regarding:

- The condition(s) which caused the removal of the parent's other child(ren).
- The basis for termination of parental rights, if applicable.
- Any other known risk factors.

***Exception:*** A complaint is not required if the parent is or was a non-respondent parent in child protective proceedings involving his/her children; see [FOM 722-01, Entry into Foster Care](#).

***Joint Recommendation***

The CPS and foster care supervisor(s) and caseworker(s) must make a joint recommendation on whether CPS should file a petition regarding a new sibling when there are other siblings currently in foster care, and if so, which children CPS will include on the petition. If the CPS and foster care supervisors disagree on the recommendation, a second line supervisor must make the final decision.

A decision must be made to either:

- Allow the child(ren) to remain at home with services in place, or
- Determine that CPS must immediately file a petition for removal.

If the decision is made to leave the child(ren) in the home, the foster care caseworker is responsible for providing case management services to the child who remains in the home of the parent, regardless of court wardship; see [FOM 722-01, Entry into Foster Care](#).

If CPS files a petition and the prosecutor refuses to process the petition or the court rejects the petition, the foster care caseworker must document these circumstances in the family reunification assessment and case service plan for the appropriate report period.

#### **CIRCUMSTANCES NOT REQUIRING A COMPLAINT**

When a child receiving foster care services is in a parental placement and the caseworker finds that the parent has not benefited from services, but the caseworker does not suspect that the parent has committed an act of child abuse or neglect, a complaint to CPS is not required.

#### **POLICY CONTACT**

Questions about this policy item may be directed to the [Child Welfare Policy Mailbox](#).